

EVIDENCE THAT MIGHT CONVICT JENKINS STOLEN

Credit Slips That Prosecutor
Intended to Show Jury
Have Disappeared.

DEFENDANT IS NERVOUS.

Trial Resumed With Taking of
Testimony Concerning
Withdrawal of Funds.

There were many indications of the strain which he has undergone in the appearance of John G. Jenkins, former President of the Jenkins Trust Company, when his trial on a charge of embezzlement was resumed today in Part V. of the Kings County Supreme Court. The suspension of the Lafayette Trust Company, which had taken over the affairs of the Jenkins Trust Company, apparently added to his anxiety.

He was nervous and constantly whispering with his lawyer. His hands trembled as he looked over papers and all the anxiety and apparent indifference which characterized his manner during the first days of his trial have left him. His wife and her sister-in-law, Mrs. Fenwick B. Small, were in court, as they have been every day since the trial began.

Two Documents Stolen.
District Attorney Clarke caused a small sensation in the courtroom when he announced that two important documents, which he regarded as among the most important evidence in his possession, had been stolen since Friday.

"They are credit slips for \$150,000 each," said Mr. Clarke, "both issued Aug. 8, 1907. Henry Jenkins, the paying teller, was compelled to carry them, at Jenkins's order, on the books as cash and I had the slips to prove this. But they have been missing since Friday and I believe them to have been stolen."

The defense claims that the money for these credit slips had been put up by State Bank Examiner Hayes, after whose examination of the books the Jenkins Trust Company closed, was the first witness to-day. He said that the bank and its branches had \$150,000 in deposits, that under the banking law their books should have shown a reserve of \$100,000, but that they only showed a little more than \$12,000.

Credit Slips Issued.
Mr. Hayes said he had learned that on Oct. 22 and Oct. 23 credit slips for \$50,000 each had been deposited and that a day or two after the latter date that amount had been drawn from the bank. Henry Jenkins, the former paying teller, said Jenkins gave him these slips and told him to carry them as cash.

After District Attorney Clarke announced that he had introduced all his evidence, Stephen Baldwin, counsel for Jenkins, moved that the indictment be dismissed on the ground that the District Attorney had failed to prove criminal intent.

Mr. Baldwin said the loan of \$50,000 to the brokerage firm of Frank & J. G. Jenkins Jr. on Oct. 22 was an ordinary banking transaction, such as is practiced every day, and is not in violation of any banking law. The collateral, he said, was on the way and would have been put up, but the bank closed two days later.

WIFE THROWS BAKED APPLE AT AFFINITY

Lively Time at Early Morning
Breakfast in Brooklyn
Restaurant.

At an hour so early this morning that the scrub women were still at work, and the chairs hadn't been removed from the tables, a young man and woman—the latter with a luxuriant red, marcelled pompadour—entered Dennett's restaurant, in Fulton street, near Washington, Brooklyn, and ordered a breakfast of baked apples, eggs, toast and coffee.

Miss Kate Moynihan, their waitress, noticed that they often glanced nervously at the door, and in a few minutes their fears were justified. A tall, black-robed woman entered. Fire was in her eye as she marched up to the table and the man slunk in his seat.

"You scoundrel!" she said. "Where have you been?"

"I've had to do night work, my dear," he said. "I've been doing over my books."

"Books, your grandmother! You've been with this red-headed busybody. But I'll show her and the black-robed woman seized one of the baked apples, and the next instant it had splattered into the face of the pompadoured one who fled with a wild shriek through the door into the street.

The man sat quiet for a minute, then he looked up at the woman in black.

"Have you had breakfast, my dear?" he asked in a timid voice.

"No, I haven't," was the answer in a loud, firm tone, "and I don't want any of this affinity business. You come along home with me," and she helped him on with his overcoat and they left together.

"Dear, can you beat it?" said Miss Kate Moynihan to the cashier.

CALLS TAXICAB CO. DUMMY.

Lawyer Says Foreign Corporation
Really Owns Business.

In the course of an argument in opposition to the application of the New York Taxicab Company—red cabs—to use as a judgment obtained by default in favor of Robert Ellis McCallan, the theatrical booking agent, for \$10,000, Joseph Folliard Perdue, counsel for McCallan, charged the New York Taxicab Company was insolvent, but that it was a mere dummy, formed to protect the foreign corporation, which really owned the business, while the taxicab company hadn't capital enough to pay for the cab used in its line of work.

Mr. Perdue said that after accepting service the attorney for the taxicab company had ignored the case and failed to defend it, and so he was awarded a judgment by default.

McCallan's counsel alleged that he was run down by one of the red taxicabs at Broadway and Forty-fifth street on Aug. 15 last and seriously injured. For this he was awarded a judgment for \$10,000. The motion to set aside the judgment was refused.

SUIT AGAINST MORSE IS TRIED IN JAIL

Referee in Brokers' Claim for
\$22,000 Transfers Hearing
to the Tombs.

Two of Charles W. Morse's creditors pursued him into the Tombs to-day with the aid of a writ of habeas corpus. The creditors are the members of the bankrupt brokerage firm of Whitney & Kitchen. Their books show the Morse owes them \$22,000.

At the time of the failure of Whitney & Kitchen there arose a multiplicity of legal proceedings which the court appointed Edward G. Whitaker to adjudicate as referee. Mr. Whitaker, desiring Morse to-day to give testimony, Marshal Henkel suggested that the hearing be held in the private counsel room on the second floor of the Tombs, and his suggestion was adopted.

Morse was represented by James B. Kilborn, one of his counsel. Daniel Burke appeared for the creditors. Assignment of Whitney & Kitchen. Morse was sworn and said he had no recollection of his business transactions with the bankrupt firm. At his request the hearing was adjourned until next Saturday to give him an opportunity to look up his books.

PRUSSIC ACID KILLS HENRY L. SCHMIDT

Former President of the Ho-
boken Water Commission
Found Dead in Bed.

Henry L. Schmidt, formerly president of the Hoboken Board of Water Commissioners and president of the National Bottlers' Association, was found dead in his bed when his wife called him at 8:30 o'clock to-day. Dr. Paganelli, who made an examination of the body, said Mr. Schmidt died from prussic acid poisoning.

Mr. Schmidt was fifty-two years old and had been wealthy. Lately he had suffered financial reverses and frequently complained that he couldn't collect money due him. He was also in very bad health. Last night he went to a card party and returned at 2 o'clock. He said nothing to his wife and the next time she saw him was when she found him dead.

PRISON FOR E. A. WHITNEY.

Former Parkhurst Society Agent
Gets 4 Years and 11 Months.

Edgar A. Whitney, formerly a prominent agent of the Parkhurst Society, who was convicted last week in the Court of General Sessions of grand larceny, was sentenced to-day by Judge Malone to not more than four years and eleven months and not less than two years and six months in Sing Sing. There are seven other indictments against Whitney.

He was tried on the specific charge of obtaining \$100 worth of house furniture and goods from a house on Avenue A, by false pretenses.

The defense was that the case was one for the civil courts. Counsel for Whitney announced, after sentence had been imposed that an appeal would be taken.



Grand Opera for Sunday World Readers.

A real musical treat is in store for the readers of next Sunday's World. By special arrangement with Oscar Hammerstein of the Manhattan Opera-House, and G. Schirmer, music publisher, the words, French and English, and piano score of the delightful aria "My Heart Unfolds at Thy Sweet Voice," from Saint-Saens's "Samson and Delilah," will be published in the Sunday World, Dec. 6. This opera, which is a great favorite in Paris, is being heard this season, for the first time in America, at the Manhattan Opera-House. Mme. Gertrude Reache, in the role of Delilah, has scored a splendid popular triumph, and she has been heard at her best in the aria "My Heart Unfolds at Thy Sweet Voice."

This little operatic gem presents no technical difficulties for pianists, and is withal one of the most beautiful that Saint-Saens ever wrote. Be sure to order next Sunday's World early, as the demand for copies of this grand-opera selection promises to be enormous.

CHRISTIAN SCIENCE CALLED "PAGANISM"

Rev. Dr. MacArthur Declares
New Creed of Healing Is
Thinly Veiled.

The Rev. Dr. MacArthur, pastor of Calvary Baptist Church, in an address before the Baptist Ministers' Conference in the Madison Avenue Church this morning, spoke about what he termed "New Thought and Religious Thinking."

"Our own church," he said, "has the advantage over creed-bound denominations, for creeds may be made by man for this generation and changed in the next. Creed is the bed in which torture and theological thinkers under the direction of symbol are made to conform to that which does not appeal to them."

"Christian Science is thinly veiled paganism. It has had a phenomenal growth, but the days of such growth are over. It is a new religion, a new spirit, a new life. It is the proper spirit with man-made creeds as they stood in the past. That is the proper spirit—a spirit that wants the present day religion—infinitely better than religion was of old."

KILDARE IN BLOOMINGDALE.

Owen Kildare, author, playwright, and one time pugilist, who was committed to the psychopathic ward in Bellevue Hospital last Monday, was discharged to-day by Dr. Gregory, and was taken to Bloomingdale asylum by his wife and two friends.

He was in cheerful mood and seemed to have recovered. Yesterday Dr. Gregory told Kildare that his nervousness had disappeared to a considerable extent, and advised that if he went to Bloomingdale and got proper rest and treatment he would be himself again in a short while.

WAS VICTIM OF GAS.

"I don't know why I did it. I have no reason at all," is what Joseph Hein, forty-three, a junkman, told the doctors in the Harlem Hospital to-day when revived from gas poisoning.

He was found unconscious near a gas tube by his wife at 6 A. M. to-day in the kitchen of their home, No. 2312 First avenue. He will recover.

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At These Special Prices

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26 and 28 inch Extra Quality Silk, close rolled, handles of gun metal, pearl and etched sterling silver, Value \$4.50, at \$2.95
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Greatly Below Prevailing Prices

Salad Bowls, 2 inch, \$4.95
Cheese Dishes, 3.95
Shallow Fruit Dishes, 3.95
Tall Footed Compots, 3.45
Ice Cream Platters, \$2.95
Mayonnaise Bowls & Plates, 1.95
Large Size Claret Jug, 4.25
Bon Bon & Relish Dishes, 95c
Nappies, 6 inch, handled and unhandled, 95c

Brass & Enamelled Bedsteads
At Exceptional Reductions

BRASS BEDSTEADS, two inch tubing, \$15.00, 22.75, 27.75
Formerly \$20.00, 26.00 and 36.00
ENAMELLED BEDSTEADS, \$4.75, 6.25, 10.00
Formerly \$5.75, 7.75 and 13.75
COVERED BOX SPRINGS, \$10.00, 12.50, 16.50
Formerly \$12.50, 16.50 and 21.75
WOVEN WIRE SPRINGS, \$4.50, 5.50, 6.75
Formerly \$5.50, 6.50 and 8.00
STEEL FRAME DIVANS, 2 ft. 6 or 3 ft. wide, \$4.00, 5.00, 6.00

C. G. Gunther's Sons
In order to reduce stock preparatory to removal to their new store, 518 Fifth Avenue, at Forty-third Street, C. G. Gunther's Sons' entire stock of Furs will be sold at very much less than usual prices.

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VELOCIPEDES, spring leather seat, steel wheels, \$1.49
TEDDY BEARS, 12-inch size, all have voice, 49c
DOLLS' GO-CARTS, all made of oak and have reclining back, 98c

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59c. All Lace Renaissance Centrepieces, 18-inch size, 29c
\$1.79 doz. Dinner Napkins, extra large, splendid quality, \$1.39
11c. English Nainsook, soft finish, yard wide, yard, 6 1/2c
29c. Unbleached Sheeting, 10-4 width, extra heavy, yd., 20c
19c. Linen finish Bed Sheets, 81x90, limit 6, at 31c
12 1/2c. Bath Towels, large size, fringed, with border, 9c
35c. Turkey Red and White Table Damask, 60 in. wide, yd., 22c
10c. Printed Flannelette, for house wrappers, etc., yd., 6 1/2c
10c. Bleached and Unbleached Canton Flannels, yd., 6 1/2c
12 1/2c. Outing Flannels, extra heavy, neat patterns, yd., 8 1/2c

Second Floor Specials

50c. and 75c. Nainsook Corset Covers, trimmed, 28c
39c. Cambric Drawers, embroidery and lace trimmed, 25c
59c. Muslin Gowns, full width, embroidery and lace yokes, 49c
Flannelette Gowns, heavy quality, braid trimmed, 49c
Flannelette Petticoats, all colors, 29c. values, 18c
Flannelette Pajamas and Gowns, pretty styles, 98c
Heavy Flannelette Kimonos, neat designs, sizes 36 to 46, 29c
Dressing Scaques and Kimonos of German fabric, 49c
Women's \$1.00 Lingerie Waists, elaborately trimmed, 98c
\$2.98 Chignon Tulle and Lace Waists, all colors, \$1.98
\$4.00 Chignon Tulle, Messaline and Lace Waists, \$2.98
Women's \$2.00 Coat Sweaters, while only, \$1.49
Women's 98c. Coat Sweaters, gray with red or navy, 68c
\$1.25 P. N. and Thomson Corsets, all sizes, 79c
Infants' \$1.25 Long Dresses, with lace and insertion, 68c
Babies' Flannel Dresses, trimmed waists, 29c
Children's Bonnet Flannel Petticoats, 1 to 14 yds., 19c
Infants' Wool Sweaters, in all colors, 44c
Babies' White Lawn Dresses, embroidery yokes, 59c

Third Floor Specials

Girls' and Children's \$1.50 Tan Calf Shoes, 69c
Women's Kidskin and Patent Leather Shoes, 2 1/2 to 8; \$1.50 value at 98c
Children's 50c. Jersey Leggings, sizes 6 to 10, 29c

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\$2.25 wool finish Blankets, full size, pair, \$1.49
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Men's \$16.00 Overcoats, well made, \$6.90
Men's \$2.00 Trousers, neatly tailored, \$1.25
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\$5.00 Massive Rockers, Fabrikoid seats, \$3.95

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